

# United States District Court

MASSACHUSETTS

DISTRICT OF

CANDY M. SOUSA, On Behalf of Herself  
and All Others Similarly Situated,

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

WAVE SYSTEMS CORPORATION, JOHN E.  
BAGALAY, JR., STEVEN K. SPRAGUE and  
GERARD T. FEENEY

04 - 30022 - MAP

TO: (Name and address of defendant)

John E. Bagalay, Jr.  
WAVE SYSTEMS CORPORATION  
480 Pleasant Street  
Lee, MA 01238

FILED  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
DISTRICT OF MASS.  
MAR 25 A.M. 10:40

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Nancy Freeman Gans  
MOULTON & GANS, P.C.  
33 Broad Street, Suite 1100  
Boston, MA 02109-4216  
617-369-7979

William S. Lerach  
Darren J. Robbins  
MILBERG WEISS BERSHAD HYNES & LERACH LLP  
401 B Street, Suite 1700  
San Diego, CA 92101  
619-231-1058

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

DATE

2/4/04

*Mark Ghindsey*  
(BY) DEPUTY CLERK

**RETURN OF SERVICE**Service of the Summons and Complaint was made by me <sup>1</sup>

DATE

FEBRUARY 19, 2004

NAME OF SERVER (PRINT)

MOREY SLOME

TITLE

CONSTABLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): BY LEAVING IN HAND WITH MS. LINDA SAMBEL, ASST. TO THE PRESIDENT AND PERSON IN CHARGE OF ACCEPTING PROCESS FOR THE WITHIN NAMED DEFENDANT JOHN E. BAGALAY, JR. - SAID SERVICE WAS MADE AT WAVE SYSTEMS CORP., 480 PLEASANT STREET, LEE, MASS.

**STATEMENT OF SERVICE FEES**

TRAVEL

\$50.00

SERVICES

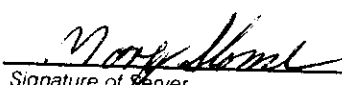
\$200.00

TOTAL

\$250.00

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on FEBRUARY 19, 2004  
Date  
Signature of Server707 E. 6th ST., SOUTH BOSTON, MASS.  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.